

CALIFORNIA CODES  
PUBLIC **RESOURCES CODE**  
SECTION 32630-32632

32630. This division shall be known, and may be cited, as the **San Diego River Conservancy Act**.

32631. (a) The **San Diego River** is a natural, historic, and recreational resource in the heart of **San Diego**. From its headwaters near the town of Julian in east **San Diego** County, it runs 52 miles through Mission Valley and the first settlement in California at Old Town **San Diego** before it empties into the Pacific Ocean at Ocean Beach. The **river** has been subjected to intense development in some parts; it runs through one of **San Diego's** most populated neighborhoods and is in need of restoration, conservation, and enhancement all along its length. The area presents excellent opportunities for recreation, scientific research, historic preservation of the first aqueduct in the United States, and educational and cultural activities, of value to California and the nation. Reestablishing the cultural and historic connections between the **San Diego River**, Old Town **San Diego** State Historic Park, the Military Presidio, and the Kumeyaay Nation will provide the public with the opportunity to appreciate the state's historic beginnings.

(b) Given the opportunities available, the state recognizes the importance of holding this land in trust to be preserved and enhanced for the enjoyment of present and future generations.

(c) The **San Diego River Conservancy** has developed a Five Year Strategic and Infrastructure Plan which has been endorsed by its board of directors, as well as by the **San Diego River** Parkway Coalition, representing diverse state and local interests. The strategic plan is consistent with the **San Diego River** Parkway Concept Plan and outlines and establishes four programmatic areas: land conservation; recreation and education; natural and cultural **resources** preservation and restoration; and, water quality and natural flood conveyance.

32632. For the purposes of this division, the following terms have the following meanings:

(a) "**Conservancy**" means the **San Diego River Conservancy** established by this division.

(b) "Fund" means the **San Diego River Conservancy** Fund established pursuant to Section 32657.

(c) "Governing board" means the governing board of the **conservancy**.

(d) "Historic flumes" means both of the following:

(1) The Padre Dam flume built by Native Americans along the **San Diego River** to convey water from the Mission Dam to the Mission **San Diego** de Alcalá in the early 1800s.

(2) The flume built by the **San Diego** Flume Company in the late 1880s to convey water from a diverting dam on the upper **San Diego**

**River** to the eastern edge of the City of **San Diego**.

(e) "Local public agency" means a city, county, district, or joint powers agency.

(f) "Nonprofit organization" means a private, nonprofit organization that qualifies for exempt status under Section 501(c)(3) of the Internal Revenue **Code**, as amended, and that has among its principal charitable purposes the preservation of land for scientific, historic, educational, recreational, scenic, or open-space opportunities, the protection of the natural environment, or preservation or enhancement of wildlife.

(g) "**San Diego River** area" or "area" means those lands or other areas that are donated to, or otherwise acquired by, or operated by, the **conservancy**, which are located within one-half mile on either side of the thread of the **river** and its tributaries including the historic flumes emanating from the **river**, from its headwaters near Julian to the Pacific Ocean at Dog Beach in **San Diego**, and other properties within the watershed of the **San Diego River** that meet the intent of this division as approved on a case-by-case basis by a two-thirds majority vote of the governing board.

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SECTION 32633-32638

32633. There is in the **Resources** Agency, the **San Diego River Conservancy**, which is created for the following purposes:

(a) To acquire and manage public lands within the **San Diego River** area, and to provide recreational opportunities, open space, wildlife habitat and species restoration and protection, wetland protection and restoration, protection of historical and cultural **resources**, and protection, maintenance and improvements of the quality of the waters in the **San Diego River** and its watershed, its tributaries and historic flumes emanating from the **river** for all beneficial uses, lands for educational uses within the area, and natural floodwater conveyance.

(b) To provide for the public's enjoyment, and to enhance the recreational and educational experience and historic interpretation on public lands in the territory in a manner consistent with the protection of land and natural **resources**, as well as economic **resources**, in the area.

32634. (a) The governing board of the **conservancy** shall consist of 11 voting members and two nonvoting members.

(b) The voting members of the board shall consist of the following:

(1) The Secretary of the **Resources** Agency, or his or her designee.

(2) The Director of Finance, or his or her designee.

(3) The Director of Parks and Recreation, or his or her designee.

(4) Five members of the public at large, three of whom shall be

appointed by the Governor, one of whom shall be appointed by the Senate Committee on Rules, and one of whom shall be appointed by the Speaker of the Assembly.

(5) The Mayor of **San Diego**.

(6) One member of the City Council of **San Diego**, elected by a majority of the membership of the council.

(7) One member of the Board of Supervisors of the County of **San Diego**, whose district includes the preponderance of the **San Diego River** watershed.

(c) The two nonvoting members shall consist of the following:

(1) The Executive Director of the Wildlife Conservation Board, or his or her designee.

(2) A representative selected by the **San Diego** Regional Water Quality Control Board.

(d) Two of the three initial appointments by the Governor pursuant to paragraph (4) of subdivision (b) shall be for three-year terms and the third appointment shall be for a two-year term. All subsequent appointments shall be for four-year terms.

(e) No person shall continue as a member of the governing board if that person ceases to hold the office that qualifies that person for membership. Upon the occurrence of those events, the person's membership on the governing board shall automatically terminate.

32635. The members of the **conservancy** that are not full-time public employees may be compensated for attendance at regular meetings of the **conservancy** at the rate of one hundred dollars (\$100) per regular meeting, not to exceed 12 regular meetings a year. All members of the **conservancy** may be reimbursed the actual amount of the reasonable and necessary expenditures incurred in attending meetings of the **conservancy** and carrying out the duties of their office.

32636. The governing board shall elect from its own members a chairperson and vice chairperson, whose terms of office shall be two years, and who may serve more than one term. In the event of a vacancy, a new chairperson or vice chairperson may be elected by the governing body before the expiration of the two-year term to fill out the remainder of that two-year term.

32637. (a) A majority of the total voting membership of the governing body shall constitute a quorum for the transaction of the business of the **conservancy**. If a quorum is present, a majority vote of the members present is sufficient to transact the business of the governing board.

32638. The governing board shall adopt its own rules and procedures necessary to conduct its business.

